

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** *JL fox* Jennifer Steingasser, Deputy Director

**DATE:** June 15, 2015

**SUBJECT:** **Public Hearing Report for ZC #15-11**  
M and South Capitol Streets  
Design Review Under the Capitol Gateway Overlay

**I. SUMMARY AND RECOMMENDATION**

This application proposes an office building with ground floor preferred uses. The building meets Capitol Gateway Overlay use requirements and generally meets requirements for building form and massing. The application successfully addresses most of the criteria of the Capitol Gateway Overlay and the Office of Planning (OP) can recommend approval of the project if additional bike parking is provided. OP also supports the requested M Street setback relief and the required relief for the grouping of compact spaces, but cannot support rooftop structure setback relief because the structure is above the Height Act height limit for this property.

**II. APPLICATION-IN-BRIEF**

<b>Location</b>	Southeast corner of M and South Capitol Streets, SE Ward 6, ANC 6D
<b>Applicant</b>	Square 700 Trust, LLC (Monument Realty)
<b>Zoning</b>	CR / CG (Commercial Residential / Capitol Gateway Overlay)
<b>Site Area</b>	35,558 sf (lot 43 and lot 866) (~15,775 sf office building footprint)
<b>Proposed Development</b>	A 130', 128,750 sf, 3.62 FAR office building with ground floor preferred uses ( - FAR based on the combined lot area; - FAR based on building footprint would be ~8.2; - The remainder of the lot is proposed for residential uses and would be the subject of a future design review application;)

<b>Relief</b>	Pursuant to 11 DCMR § 1610.7, the following relief is requested in order to develop as proposed: <ol style="list-style-type: none"><li>1. Variance from 15' M Street setback (§ 1604.3, 15' setback from curb required, 6' provided for an above grade projection; the ground and second floors would provide the required setback);</li><li>2. Special Exception from rooftop structure setback (§ 411, 1-to-1 setback required (18'6"), 0.83-to-1 setback provided (15'5"));</li><li>3. Although not requested, it appears that relief from compact parking space grouping requirements may also be required.</li></ol>
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### III. SITE AND AREA DESCRIPTION

The subject property is located on M Street, SE, between South Capitol Street and Van Street, in Square 700. M Street has a 90 foot right-of-way, South Capitol Street is 155 feet wide in this location, and Van Street is 50 feet wide. The subject site has most recently been used for surface parking. It is zoned CR / CG (Commercial Residential / Capitol Gateway Overlay), as are the other properties in Square 700 and 701 to the east. Please refer to the Vicinity Map in Attachment 1. The Navy Yard metro station west entrance is one block to the east at the corner of M and Half Streets.

The subject property would be formed from two existing lots, lots 43 and 866, and the resulting site would be used for an office building and a residential building<sup>1</sup>. This application is for only the office building portion of the site, and it is anticipated that a future application for the residential building would be submitted in the near future. The office building would be at the north end of the site. The south end of the site is adjacent to a self-storage warehouse (also zoned CG/CR). West of South Capitol Street are one story commercial uses (zoned CG/C-2-C) and, diagonally to the northwest, a 7-11 (zoned CG/C-3-C). On the north side of M Street is the St. Vincent DePaul church and an office building. Across Van Street is the site of case 08-30, approved by the Commission in 2009. In that application, the developer proposed a mixed use project with office, residential and retail that occupied the entire eastern half of Square 700 in two buildings. That application has lapsed, but it is anticipated that a similar development program would be requested in one or more future design review applications. The surrounding neighborhood also includes a mix of residential, office, hotel and retail development.

### IV. PROJECT DESCRIPTION

The application proposes a 130', 10-story, 128,750 square foot office building with ground floor preferred uses. The preferred uses, totaling 4,761 square feet, would occupy all of the M Street and South Capitol Street façades other than the M Street office lobby and an emergency exit. Loading and parking would be accessed from Van Street. The preferred uses could be retail, or potentially a broadcast studio, a preferred use under § 721.2(v), and, together with the office lobby would have a façade of mostly glass with stainless steel framing. The height of the

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<sup>1</sup> The entire combined site was the subject of a previous application, 09-22, which proposed an office building but was eventually withdrawn.

preferred uses would be at least 14 feet clear. Retail signage could be provided on the ground floor fascia band, and signage for the principal tenant could be located to the side of or above the main entrance, or at the 10<sup>th</sup> floor level of the building. Upper floors would have a precast framing of a “cream limestone color” (Plan set, Exhibit 13, p. 29) around window wall openings. OP would support a lighter colored precast panel to more closely echo the design of other buildings in the corridor, and reinforce the monumental character of South Capitol Street. The penthouse structure would have a façade of aluminum metal panels, which should have a darker, matte finish.

The building footprint and floor plate would be generally rectangular, except for the defining feature of the building – a curving curtainwall façade that would arc from M Street and into the building mass from the third through tenth floor. The feature would project out nine feet from the main M Street façade. The main façade would be on the 15’ setback line, and the curving projection requires relief from the setback provision. Although the feature projects out from the main façade, renderings indicate that the open feel of M Street would not be diminished, nor the sense of a consistent streetwall developing along that corridor (pp. 33 – 35). If approved, however, the placement of street trees should be coordinated with the projection to minimize conflict and allow maximum canopy growth.

The design proposes a terrace at the ninth floor level and a somewhat smaller terrace at the penthouse level. The roof also features a significant amount of green roof. The rooftop penthouse would generally meet the one-to-one setback requirements, but the applicant has requested relief at one point where, because of the curves of the ninth floor, tenth floor and penthouse, a slightly smaller setback is proposed.

Three levels of underground parking are proposed, which would result in a total of 127 vehicular parking spaces, or about 1 per 1,000 square feet of gross floor area. As of this writing the plans indicate that the building would provide 12 bicycle parking spaces, or about 0.1 per 1,000 gross square feet. The project should provide more bike parking and indicate the location of the bike parking on the first garage level.

## **Summary**

OP is very supportive of the overall design of the proposal and especially appreciates the curving curtainwall feature, a type of attribute not often seen in DC architecture. OP feels that the ground floor design of the building provides an opportunity for street-activating uses through the use of appropriate materials. The Capitol Gateway Overlay, as described in additional detail later in this report, seeks to create an active pedestrian and transit-oriented environment and a vibrant district in the area north of the ballpark. This project should help achieve those aims with a cohesive pedestrian environment, ground floor preferred uses, and all parking and loading concentrated on Van Street.

## **V. ZONING**

The subject site is zoned CR / CG (Commercial-Residential / Capitol Gateway Overlay). The CR district is designed to “help create major new residential and mixed use areas in planned

locations at appropriate densities, heights and mixture of uses” (600.3(a)). The Capitol Gateway Overlay is intended to encourage a mix of uses while creating a pedestrian-friendly environment. The proposal as designed requires relief as noted below.

**1. Variance from M Street Setback (§ 1604.3)**

This section requires that the building façade be set back at least 15 feet from the M Street curb. The design proposes that the main façade of the building fall on that line, but that a curved curtainwall feature project into the setback area and conversely recess the building face where the arc plunges into the rectangular building volume. The portion that projects up to nine feet into the setback would require variance relief.

The subject site is exceptional in that it is a very prominent location at the intersection of two important streets, and acts as a front door to the near southeast neighborhood. Because of this prominent position, it is reasonable that a building on this site could utilize additional architectural gestures to signify its importance. Strict adherence to the regulation could have the effect of minimizing the architectural prominence of the building. The projection would not have a negative impact on the public or the intent of the Regulations. Because the feature begins at the third floor, the width of the sidewalk, a main priority of the Overlay, would not be reduced. Visually, as demonstrated by the submitted renderings (Exhibit 13, pp. 33-35), the projection would not impact the sense of openness on M Street. OP supports the requested relief.

**2. Special exception from penthouse requirements (§ 411)**

The application requests relief from the penthouse setback at one point where the 18’6” tall roof structure is set back only 15’5” from the edge of the roof on which it sits. Please refer to Exhibit 13, page 19). The overruns for elevators 1 through 3 would penetrate the roof plane in this location and dictate the location of the penthouse wall. While in concept this minor deviation would likely not be noticeable from any vantage point and would not impact the light or air available to occupants of this building or adjacent buildings, the penthouse would be above the Height Act height limit for the building so it is the understanding of OP that it cannot be the subject of a relief request to the Zoning Commission. OP supports the design direction of the building, but feels that the design at the roof level and/or penthouse level can be slightly adjusted to meet the necessary 1-to-1 setback.

**3. Grouping of Compact Spaces (§ 2115.4)**

Although not requested, the garage design would seem to require relief from § 2115.4, which requires that compact spaces only be provided in groups of five or more. The column spacing proposed for the building above would create an exceptional condition in the garage where only compact spaces could fit between certain columns. Granting relief would not impact the public good and would result in a more efficient use of the garage space. OP supports this area of relief.

## **VI. CRITERIA OF THE CAPITOL GATEWAY OVERLAY**

The Capitol Gateway Overlay District lists a number of objectives for the overlay and provides specific criteria for the Zoning Commission review of proposed developments. The following is OP's analysis of these standards as applied to the application.

### **§ 1600.2 The purposes of the CG Overlay District are to:**

- (a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk and design of buildings, as generally indicated in the Comprehensive Plan and recommended by planning studies of the area;**

The project proposes office and ground-floor preferred uses, which are appropriate in the CG Overlay. The proposed height of 130 feet and the design shown by the applicant are appropriate to an area near the center of the city and accessible by Metro. OP supports the style of architecture. The massing of the building is not inconsistent with Comprehensive Plan direction for the area, nor the regulations of the overlay that govern building form.

- (b) Encourage a variety of support and visitor-related uses, such as retail, service, entertainment, cultural and hotel or inn uses;**

The proposed ground floor uses could include a broadcast studio, which would directly meet the intent of this subsection. Conventional retail uses could also fill the ground floor space and would also meet this goal. The proposed office use could support neighborhood restaurants with daytime business and potentially support hotel uses through the addition of more business travelers.

- (e) Require suitable ground-level retail and service uses and adequate sidewalk width along M Street, S.E., near the Navy Yard Metrorail station;**

The design would meet the regulations for ground floor preferred uses. And while the application requests relief from the M Street setback, the design would not impact sidewalk width.

- (g) Provide for the establishment of South Capitol Street as a monumental civic boulevard;**

Because of the office use and concentration of ground floor preferred uses, the proposed development could create an active pedestrian character on South Capitol Street. The design would also meet the CG Overlay by providing the 15' setback on South Capitol, maintaining the streetwall as prescribed by the CG regulations, and meeting the one-to-one setback above 110 feet. Overall the architecture would provide an appropriate infill building for this section of the boulevard.

**§1604 Buildings, Structures and Uses on M Street, SE**

**§1604.1 The following provisions apply to new buildings, structures, or uses with frontage on M Street, SE within the CG Overlay.**

**§1604.2 No driveway may be constructed or used from M Street to required parking spaces or loading berths in or adjacent to a new building.**

No vehicular access points are planned on M Street. All parking and loading would be accessed from Van Street. This design would facilitate pedestrian movement, but additional options for tenants and visitors to the building would be available if more bicycle parking were to be provided in the building.

**§1604.3 The streetwall of each new building shall be set back for its entire height and frontage along M Street not less than fifteen (15) feet measured from the face of the adjacent curb along M Street, SE.**

The application requests relief from this section. Although the main building façade sits on the setback line, the proposed curving curtainwall feature would project out nine feet at the third through tenth floors. Because the projection is well above the ground level, one of the main purposes of this section – the provision of adequate pedestrian space – would be met. Also, renderings indicate that the open feel of M Street would not be diminished, nor the sense of a consistent streetwall developing along that corridor (pp. 33 – 35). OP supports the design of the building, however the location of street trees should be coordinated with DDOT to maximize the tree canopy.

**§1604.4 Each new building shall devote not less than thirty-five percent (35%) of the gross floor area of the ground floor to retail, service, entertainment, or arts uses (“preferred uses”) as permitted in §§ 701.1 through 701.5 and §§ 721.1 through 721.6 of this Title; provided, that the following uses shall not be permitted: automobile, laundry, drive-through accessory to any use, gasoline service stations, and office uses (other than those accessory to the administration, maintenance, or leasing of the building).**

The design would provide 35.09% of the ground floor as preferred uses.

**Such preferred uses shall occupy 100% of the building’s street frontage along M Street, except for space devoted to building entrances or required to be devoted to fire control.**

Except for the office building lobby, the proposed design shows preferred uses along the M Street frontage.

**§1604.5** For good cause shown, the Commission may authorize interim occupancy of the preferred use space required by §1604.4 by non-preferred uses for up to a five (5) year period; provided, that the ground floor space is suitably designed for future occupancy by the preferred uses.

The applicant has not requested temporary-use relief.

**§1604.6** Not less than fifty percent (50%) of the surface area of the streetwall of any new building along M Street shall be devoted to display windows having clear or low-emissivity glass except for decorative accent, and to entrances to commercial uses or the building.

The application does not state the exact quantity of display windows on the M Street façade, but does indicate that the quantity would be greater than 50% (Exhibit 13, Page 11).

**§1604.7** The minimum floor-to-ceiling clear height for portions of the ground floor level devoted to preferred uses shall be fourteen (14) feet.

The application states that the all portions of the ground floor dedicated to preferred uses will have a clear height of 14 feet or more.

**§1604.9** Where preferred use retail space is required under this section and provided, the provisions of DCMR 11 §633 shall not apply.

In conformance with this provision, the design does not incorporate a ground level public plaza.

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**§1605** Buildings, Structures, and Uses on South Capitol Street

**§1605.1** The following provisions apply to new buildings, structures, or uses with frontage on South Capitol Street within the CG Overlay.

**§1605.2** Each new building or structure located on South Capitol Street shall be set back for its entire height and frontage not less than 15 feet...

The design is set back at least 15 feet from the South Capitol Street property line.

**§1605.3** Any portion of a building or structure that exceeds 110 feet in height shall provide an additional one-to-one (1:1) step-back from the building line along South Capitol Street.

The building would provide the one-to-one step back above the 110 foot height along the South Capitol Street façade. See Exhibit 13, page 23.

**§1605.4** No private driveway may be constructed or used from South Capitol Street to any parking or loading berth areas in or adjacent to a building or structure constructed after February 16, 2007.

Parking and loading will be accessed from Van Street, and no driveways are proposed for South Capitol Street. This design would facilitate pedestrian movement, but additional vehicle trips could be taken off the road if more bicycle parking were to be provided in the building.

**§1605.5** For each new building or structure located on South Capitol Street, a minimum of 60% of the street-wall shall be constructed on the setback line...

The design proposes that more than 60% of the building face would be on the setback line.

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**§1610** Zoning Commission Review of Buildings, Structures and Uses

**§1610.1** The following provisions apply to properties located:

- (b) On a lot that abuts M Street, SE;
- (c) On a lot located within Squares 700 or 701, north of the Ballpark site;
- (d) On a lot that abuts South Capitol Street...;
- (f) Any lot which is the recipient of density through the combined lot provisions of § 1602.

**§1610.2** With respect to those properties described in § 1610.1, all proposed uses, buildings, and structures, or any proposed exterior renovation to any existing buildings or structures that would result in an alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

**§1610.3** In addition to proving that the proposed use, building, or structure meets the standards set forth in § 3104, an applicant requesting approval under this section must prove that the proposed building or structure, including the siting, architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) Help achieve the objectives of the CG Overlay District as set forth in §1600.2;

The project would help achieve the objectives of the CG Overlay. The project would add a mix of uses to the area, including ground floor preferred uses. The height and bulk of the building

would be appropriate and as prescribed by the Comprehensive Plan. The use mix would help establish the neighborhood as an active mixed use neighborhood with a daytime population in addition to the several residential projects that have recently been approved in the area. The width of the sidewalk along M Street would allow for significant pedestrian volumes, and the setback along South Capitol Street would help establish that street as a monumental civic boulevard. In order to achieve the best pedestrian environment possible, the applicant should coordinate with DDOT on the spacing of street trees, especially as they interact with the proposed projection, in order to maximize the tree canopy.

- (b) Help achieve the desired mixture of uses in the CG Overlay District as set forth in §§ 1600.2(a) and (b), with the identified preferred uses specifically being residential, hotel or inn, cultural, entertainment, retail or service uses;**

The proposal would provide office uses as encouraged by § 1600.2(a), and the office use and additional daytime population would help support retail such as restaurants and potentially hotels in the area, which are preferred uses described in § 1600.2(b).

- (c) Be in context with the surrounding neighborhood and street patterns;**

The proposed development would respect and enhance the surrounding neighborhood and street patterns. The neighborhood has an emerging architectural character with some of the new buildings on M Street, 1<sup>st</sup> Street, South Capitol and the baseball stadium sharing a modern vernacular. The design of the proposed building would expand on that trend, and would incorporate active street-level preferred uses typical of an urban entertainment area.

- (d) Minimize conflict between vehicles and pedestrians;**

The proposed design would minimize conflict between vehicles and pedestrians. All loading and parking would be accessed from Van Street, which serves as an alley for this square. Additional bicycle parking would encourage more users of the building to take alternative modes of travel rather than driving.

- (e) Minimize unarticulated blank walls adjacent to public spaces through facade articulation; and**

The building would have almost no blank walls fronting public space. The ground floor would be preferred uses together with a very “transparent” lobby space facing M Street. The storefront façade would wrap onto Van Street to add visual interest to that street.

- (f) Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards.**

Based on the LEED checklist provided in plan set, the project would definitely achieve the equivalent of 57 LEED points, which would put the project at the high end of the Silver range. OP asks the applicant to firmly commit to additional points from the 36 listed in the “maybe” column.

**1610.6 With respect to a building or structure which has frontage on South Capitol Street, SE:**

- (a) The building or structure shall incorporate massing, materials, and buildings and streetscape landscaping to further the design and development of properties in a manner that is sensitive to the establishment of South Capitol Street as a monumental civic boulevard;**

The design would meet the provisions of the CG Overlay by providing a 15’ setback on South Capitol, resulting in a wide sidewalk. The applicant has been working with DDOT on various aspects of the project, and the proposed streetscape seems to generally conform to DDOT’s plans for South Capitol. The building design and massing would also establish the streetwall and setbacks as intended by the CG regulations and the architecture would be generally appropriate for this location.

- (b) The building or structure shall incorporate massing, location of access to parking and loading, and location of service areas to recognize the proximate residential neighborhood use and context, as applicable;**

The design uses appropriate locations for access to parking and loading, away from the two most major streets, and on the tertiary road, Van Street. The design also provides adequate pedestrian space on the adjacent sidewalks to encourage a walkable neighborhood.

- (c) The application shall include a view analysis that assesses openness of views and vistas around, including views toward the Capitol Dome, other federal monumental buildings, the Ballpark, and the waterfront.**

The application includes a number of photographs and renderings of the site with views toward the Capitol as well as to the east and west on M Street. The building would help frame the view along South Capitol Street, a major urban boulevard. The building would not impact the views of other monumental buildings, the Ballpark, or the waterfront.

**§1610.7 The Commission may hear and decide any additional requests for special exception or variance relief needed for the subject property. Such requests shall be advertised, heard, and decided together with the application for Zoning Commission review and approval.**

As described in this report, the design of the project would require relief from the M Street and rooftop structure setback regulations.

## VII. COMMUNITY COMMENTS

As of this writing OP has received no comments on the project from the community or the ANC.

## VIII. DISTRICT AGENCY COMMENTS

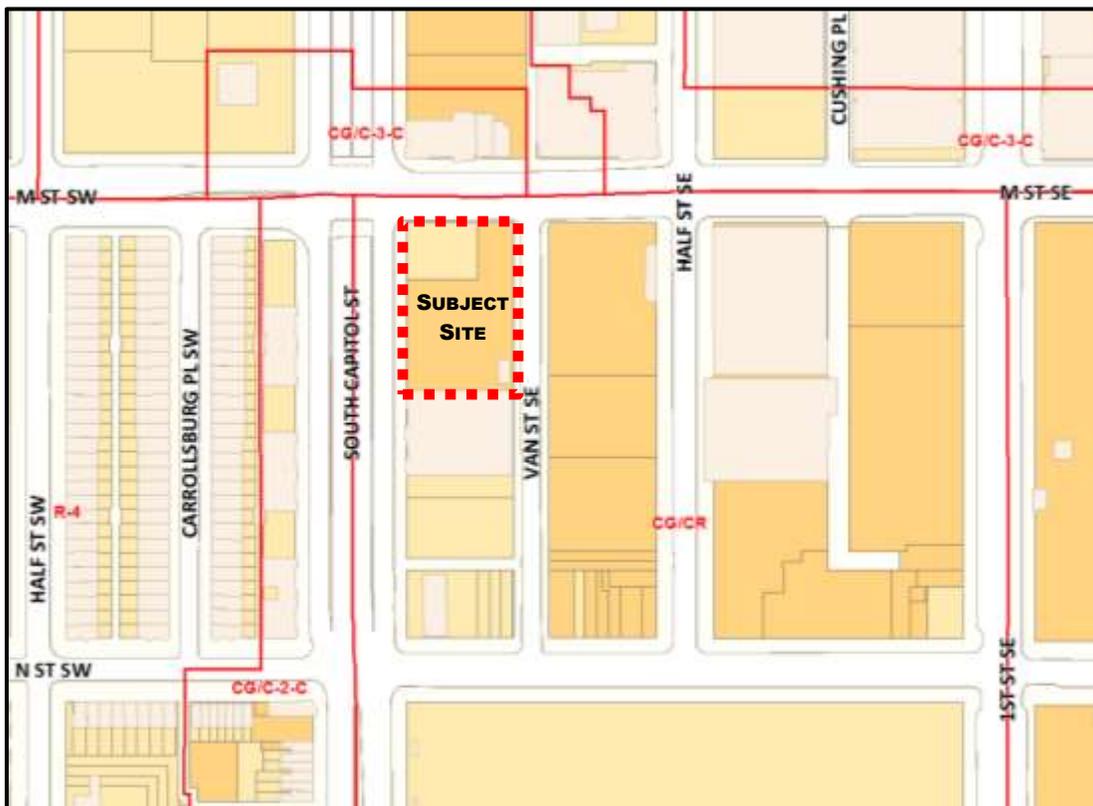
As of this writing OP has received comments on the application from FEMS, who has no objections to the application as long as the design meets the requirements of the International Building Code. Please see the FEMS comments in Attachment 2.

## IX. ATTACHMENTS

1. Vicinity Map
2. FEMS Referral Comments

JS/mrj

### ATTACHMENT 1 VICINITY MAP



## Attachment 2 FEMS Referral Comments

